

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/9/2021

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RODGER JENKINS and GREGORY JONES :
:
Plaintiffs, :
:
-against- : 19-CV-1774 (VEC)
:
: ORDER
XPRESSPA GROUP, INC., :
:
Defendant. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on February 9, 2021, the parties appeared before the Court for a conference;

IT IS HEREBY ORDERED that, for the reasons stated on the record at the February 9, 2021 conference, the Court is unable to find that there is “no just reason for delay” under Rule 54(b), and the Court, therefore, will not issue a final, partial judgment in favor of Plaintiff Jenkins at this time. The Court will issue a single, final judgment as to all parties and all claims upon the disposition of Plaintiff Jones’ remaining claim.

IT IS FURTHER ORDERED that not later than **February 23, 2021**, counsel for Plaintiff Jones and Defendant must propose to the Court two Mondays in May on which to commence trial on Plaintiff Jones’ remaining claim. The Court reiterates that, to the extent the parties prefer a remote trial to an in-person trial, they must indicate such interest in their joint pretrial order and identify the technology platform the parties propose the Court use to conduct a remote trial.

IT IS FURTHER ORDERED that if at any point both Plaintiff Jones and Defendant are interested in a referral to the Magistrate Judge for a settlement conference, the parties should file a joint letter with the Court expressing that interest.

SO ORDERED.

Date: February 9, 2021
New York, New York


VALERIE CAPRONI
United States District Judge